G. R. S. IX-5]

Previous references.

File No. 41 of 1899

191 .

(S. & A.)

Serial Nos. 1–4

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1–4

Dn. ~~Part~~ B for February 1900.

SUBJECT.

Proposal for the pension of pensioned officials ~~when~~ of Military department when employed in civil Department.

Indexed

W D 88—GPB—50,000—24-7-16

Section S.H.A.
Case No A1 of 1899
Serial No 46

Subd. Sheet. with
a copy of the article
ref'd to.

The J. J. has
made out a good
case for the re-
employed military
pensioners. They
may, if approved be
examples from the
operation of the
article in question.

9/12

Noted by Sec'y.

Our article 235 with
the note thereunder, cor-
responds exactly with
article 392 with the note
thereunder of the British
Service Regulations.

The pension in this case
was not only not a Imperial
~~Colonial~~ pension

Extract from the Mysore Service Regulations.

Beginning of Service.

235. In the case of Inferior service, service counts after the age of sixteen years, but if an Inferior officer appointed after the 1st April 1880, has, on the date of such appointment, attained the age of forty years, his service does not qualify for pension or gratuity of any kind.

Note:—[The proviso in this article does not apply to an Inferior servant who is re-employed after discharge on compensation pension or gratuity.]

693. Pte. 730

OFFICE OF THE DEWAN C.F.M. 4912 25-XI-99 1899

From

The Inspector General of Police
in Mysore.

To

The Secretary to the Govt. of Mysore,
General and Revenue Depts.

Section S & A.
File No 41 — 1899
Serial No 1

Dated

Despatched 24 November 1899.

Received

General No. 2152

No. 174

Enclosure No. one petition.

Submitting qualifying applications on behalf of 188 C. C. Francis of the Bangalore City Police and requesting that exception may be made in favour of military pensioners who are entertained in civil employ otherwise as Police Constables or peons.

Put
25.11.99.
25-28/11/99.

[illegible]

INSPECTOR GENERAL OF POLICE IN MYSORE.

No. 2152/174 Bangalore 29 Nov. 1899.

From one La Fille.

THE INSPECTOR GENERAL OF POLICE IN MYSORE.

THE SECRETARY TO THE GOVT. OF MYSORE,
GENERAL AND REVENUE DEPARTMENTS.

In forwarding herewith an application for gratuity on behalf of 1st class Constable Francis of the Bangalore City Police, I have the honor to state that the applicant was a military Pensioner aged about 41 when he entered the Service in 1883. He was found unfit for further Service and retired on 6th March 1899 after a Service of over 15 years. He was recommended for a gratuity for the Service rendered by him.

[illegible]

But the Comptroller has returned the Roll with the remark that the note under Article 235 of the Mysore Service Regulations can apply only to an inferior Servant who had previously retired on pension from Service under the Mysore Government (Vide Copy of his docket No. 6032/P2&A 107 dated 22nd August 1899).

2. The Deputy Commissioner, Bangalore argues that the note under Article 235 of the Mysore Service Regulations as interpreted by the Comptroller operates very hard on the Subordinate Staff in the Police Department and states that it is often necessary in the interests of the discipline of the Department to enlist as Police Constables men retired from the military Service, and if these pensioners after a number of years hard Service are denied the consideration which pensioners of the Mysore Government are entitled to, on the ground that

that they do not belong to the Same Government, appears rather hard upon the military pensioners.

Though it is not distinctly specified in the note to Article 235, that the re-employment should be under the Same Government by which the inferior Servant was first retired on gratuity, or Compensation pension, I am not prepared to say that the Comptroller's interpretation is not correct. But I submit that it is very necessary that an Exception should be made in favour of military pensioners who are entertained in Civil employ whether as Police Constables or peons. In Consequence of their Service in the army and the discipline and training they have undergone, it is a distinct advantage to enlist them in our Service;

even after 40 years of age. On this ground and in order to encourage such men to seek our service, it is desirable to exempt them from the operation of Article 235 altogether, and it is probably in this sense that the Comptroller himself qualified his interpretation by making it subject to the decision of Government.

4. I beg accordingly that the gratuity application may be forwarded to the Comptroller for audit.

I have the honor to be,

Sir,

Your most obedient Servant,

K. Leandy

for Inspector General of Police.

M

Special Audit Department

Welcome No 215-2 1899 174 Dt 24-11-99

FROM The Comptroller
Govt. of Mysore

To The Inspector General
of Police in Mysore.

Dated 22d August 1899

Despatched 25th

Received

General No. 1032

P. A. No. 107

Enclosure No. 2 Files

His docket No 3381/256 dated 18th March 98 retransmitting the Gratuity application of 2d Class Constable Annasawmy of the Mysore City Police and No 487/52 dated 22d ultimo forwarding copy of docket No 49 of 22d idem from the Deputy Commissioner, Bangalore to his address, with the gratuity application of Constable Francis for report of the cases to Government, with reference to the note under

under art. 235 of the Mysore Service Regulations.

In returning the papers herewith, I have the honor to state that the proviso in question applies to an inferior Servant retiring from re-employment in the same Government as that in which it was sanctioned unless the Government chooses to order otherwise.

(Sd.) C. R. Srinivasa Iyer
Comptroller.

"Duly"

N. Kuriady
for Secretary to Government

No 6874
Fol: 251 of 14/12/99

To,
The First Asst. Resr.
in Impore.

Sir,

I am directed to request the favour of your ascertaining for the information of the Bureau of the Military Pensioners re-employed in Civil offices if they have attained the age of 40 years and are British Subjects, excluded from Civil Pension or Gratuity under article 392 of the Bengal Pension Regulations or are admitted to the benefit of the Contribution Annuities that provided for in the Note appended to the above article for the favour of Superior Servants re-employed after discharge on Commutation pension or Gratuity by the Note appended to the above article.

The above information

I am directed to request the favour of your ascertaining for the information of the Bureau of the Military Pensioners re-employed in Civil offices if they have attained the age of 40 years and are British Subjects, excluded from Civil Pension or Gratuity under article 392 of the Bengal Pension Regulations or are admitted to the benefit of the Contribution Annuities that provided for in the Note appended to the above article for the favour of Superior Servants re-employed after discharge on Commutation pension or Gratuity by the Note appended to the above article.

The above information

To,
The First Asst. Resr.
in Impore.

Sir,

I am desired to state that the ordinary conditions as to age qualifying for admission into the service of the State have been changed in favour of Military Pensioners since it has been found advantageous to enlist in the Police force even

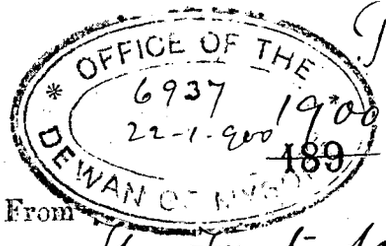
after they had attained
the age of 40 yrs as
they had their military
training and discipline
& recommend them.
An application for
pension from one of
such Mil. Pensioners
who entered the Police
Force of the State in
1883 when he was
about 41 yrs of age
and who was retired
as a 1st Class Constable
in March last after
a service of over 15
yrs is now under the
consideration of the
Govt. Vide 235
of the Imperial Service

well & was Paid
each the Number in
Calcutta with the
case of a British
Military Pensioner
(Private Francis
of the 34th Regiment
L. 9) who retired
from the Army
and a pension of
Rs 11 on 16th June/82
when he was paid
the age of 40 years
but who had re-
-enlisted
the Inspector Police
as a Constable
in 1883 & has
now been declared
unfit for further
Service.

Regs: disqualifies
the man from retaining
- ty as the head placed
the age limit therein
prescribed at the
time of his enlistment
in the Bangalore City
Police and it is not a
case of re-employment
of the kind contemplated
in the note appended
to that article. It is
observed that both
the article & the note
referred to earlier
correspond with the
art: 392 & the note
thereunder of the
British Civil Service

Regrs and I am to
request the favour
of you kindly ascer-
taining from the
Accountant General,
Madras, or other proper
authority how
similar cases to those
are dealt with in
British India and
obliging communicating
the same to the Trustees,
as the information would
be of material help in
modifying the Rules
Service Regns to the
extent required. I am &c

Secy



P&A 1026

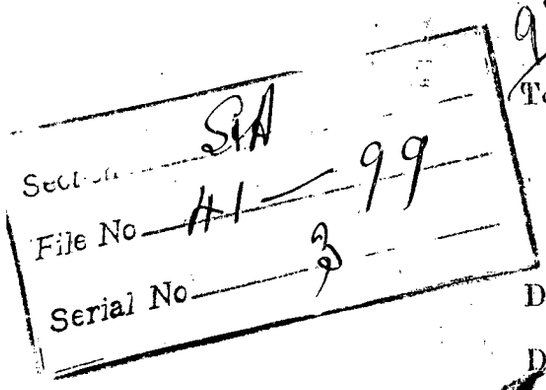
1900 Pol: 1149.

From The First Asstt Resident in Nuzpore.

972

To Dewan

THE ~~SECY. TO THE GOVT.~~ OF MYSORE;
~~GEN. & REV. DEPTS.~~



Dated 22nd Janry: 1900.

Despatched

Received

General No. 346

No. 579-99

Enclosure No.

Forde: for information Copy of a letter from the Asstt Genl, Madras, to the Resdt, stating that the Military Service being pensionable under a distinct set of rules, the restrictions imposed by article 392 of the Regulns do apply to Military Pensioners employed in the Civil Deptt.

Refers

References to be marked.

Putup

P&A
23/1/00.

Submitted with reference

24/1/00 1297

We have both the letters with the Rules & Instructions of the pensionary cases.

P&A Early 26/1 Genl 26/1/1900

Rec'd 22-1-1900 11

THE RESIDENT'S OFFICE.

No. 346
5-79-99

Bangalore, the 22nd January 1900

Copy of the following letter forwarded to the Dewan of Mysore for information, with reference to his letter No.6874-Pol.251 dated the 14th December 1899.

First Assistant Resident.

Letter No. Pen.V.495 / 10869, dated the 16th January 1900, from the Accountant General, Madras, to the First Assistant to the Resident in Mysore.

With reference to your Memo: No.5871, dated the 23rd of December 1899, I have the honor to invite attention to article 581 of the Civil Service Regulations, and to state that the Military Service being pensionable under a distinct set of rules, the restrictions imposed by article 392 of the Regulations

1900

No 8932-33 & P.A. 745 1/2/00

Read: ——

Section S.H.A.
File No 41-99
Serial No 1 A

Letter No 2157-99/174

24-11-99 from the Inspector General of Police submitting the gratuity papers of Francis 1st Class constable Bangalore city Police which were returned by the Comptroller on the ground that the constable in question was not entitled to any gratuity under the rules as he entered the Service after he attained the age of 40 years and after 1st April 1880, the date prescribed in article 235 of the Mysore Service Regulations, and soliciting ~~the~~ for

that an exception to the article in question may be made in favor of the Military Pensioners employed in the Civil Department as Constables and office of peons.

Letter from the Secretary to Govt. in Mysore (in Mysore W. Dept. No. 8932-33 dated 1-2-90) forwarding a copy of the Government Order (in Mysore W. Dept. No. 745 dated 1-2-90) on the subject of the grant of Military Service pensions to Military Pensioners employed in the Civil Department.

The Military Service whether under the British or Mysore Govt., being pensionable under a distinct set of rules, the restrictions imposed by Art. 235 of the Mysore Service Regulations should be held to apply invariably to the Military Pensioners employed

(in Mysore W. Dept. No. 1086 dated 345 Dec. 1895) as to the practice to be followed in matters connected with the grant of pensions to Military Pensioners employed in the Civil Department.

employed in the ~~Local~~
or any other Civil
~~or~~ Police Department.

Constable
The gratuity papers of Francis
will therefore be returned
to the Inspector General
of Police with the intimation
that, under the circumstances
of the case, an extra month's
pay will be allowed.

Sd/-
for Secretary.

Print

No. 1507 26/1/1900

The Inspector General of Police
Travancore to the Mysore
Govt.

Sent to the Offg Dewan
27/1/1900
1300 a.m.

Print in extenso
Press copy made
KR 9/2/1900

29/1/1900

Proceedings of the Government of Mysore, General, dated 1st February 1900.

READ—

Letter No. 2152—174, dated 24th November 1899, from the Inspector General of Police in Mysore.

In forwarding herewith an application for gratuity on behalf of 1st class constable Francis of the Bangalore City Police, I have the honor to state that the applicant was a Military pensioner aged about 41 when he entered the service in 1883. He was found unfit for further service and retired on 10th March 1899 after a service of over 15 years. He was recommended for a gratuity for the service rendered by him. But the Comptroller has returned the Roll with the remark that the note under Article 235 of the Mysore Service Regulations can apply only to an inferior servant who had previously retired on pension from service under the Mysore Government (*vide* copy of his docket No. 1032—P. & A. 107, dated 22nd August 1899).

2. The Deputy Commissioner, Bangalore, argues that the note under Article 235 of the Mysore Service Regulations, as interpreted by the Comptroller, operates very hard on the subordinate staff in the Police Department and states that it is often necessary in the interests of the discipline of the Department to enlist as Police constables men retired from the Military Service and if these pensioners after a number of years' hard service are denied the consideration which pensioners of the Mysore Government are entitled to, on the ground that they do not belong to the same Government, appears rather hard upon the Military pensioners.

3. Though it is not distinctly specified in the note to Article 235, that the re-employment should be under the same Government by which the inferior servant was first retired on gratuity or compensation pension, I am not prepared to say that the Comptroller's interpretation is not correct. But I submit that it is very necessary that an exception should be made in favor of Military pensioners, who are entertained in Civil employ whether as Police constables or peons. In consequence of their service in the Army and the discipline and training they have undergone, it is a distinct advantage to enlist them in our service even after 40 years of age. On this ground, and in order to encourage such men to seek our service, it is desirable to exempt them from the operation of Article 235 altogether, and it is probably in this sense that the Comptroller himself qualified his interpretation by making it subject to the decision of Government.

4. I beg accordingly that the gratuity application may be forwarded to the Comptroller for audit.

No. 346—579-99, dated the 22nd January 1900, from the First Assistant to the Resident in Mysore, to the Secretary to the Government of Mysore, Revenue and General Departments.

Copy of the following letter forwarded to the Dewan of Mysore, for information, with reference to his letter No. 6874—Pol. 251, dated the 14th December 1899.

Letter No. Pen. V. 495—10869, dated the 16th January 1900, from the Accountant General, Madras, to the First Assistant to the Resident in Mysore.

With reference to your Memo No. 5871, dated the 23rd of December 1899, I have the honor to invite attention to Article 581 of the Civil Service Regulations, and to state that the Military Service being pensionable under a distinct set of rules, the restrictions imposed by Article 392 of the Regulations do apply to Military pensioners employed in the Civil Department.

No. 8932-33—P. & A. 745, DATED BANGALORE, 1ST FEBRUARY 1900.

ORDER THEREON—Military service, whether under the British or Mysore Government, being pensionable under a distinct set of rules, the restrictions imposed by Article 235 of the Mysore Service Regulations corresponding with Article 392 of the Indian Civil Service Regulations, should be held to apply invariably to the Military pensioners employed in the Police or any other Civil Department. The gratuity papers of Constable Francis will, therefore, be returned to the Inspector General of Police with the intimation that, under the circumstances, Government are unable to make an exception in this case.

C. SREENIVASIENGAR,
Secy. to Govt., Gen. & Rev. Depts.

To—The Inspector General of Police in Mysore.
The Comptroller to the Government of Myso

Exd.—H.R.R.